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**MINUTES OF THE COUNCIL AND GENERAL COURT(1)  
1622-1629\*.**

From the Originals in the Library of Congress.

(CONTINUED.)

\*All erasures in the originals are here printed in italics.

[ink folio 133.]

Y<sup>e</sup> is ordered that y<sup>e</sup> Plantationes.....)  
from aboue Flowerdy hundred.....) 2 barrells  
vpwordes shall haue of powder.....)

The Plantations over y<sup>e</sup> water.....) i barrell ½  
and Hogg Ilande.....)

For warishcoyke..... *one halfe barrell*

For Capt Tuckers side..... i barrell

For Capt' West for Kickaton..... i barrel

Those aboute James Cyttie to be p vided)  
pwt of the powder cominge.....)

For mulbery Ilande..... ½ a barrell

[ink folio 134.]

Capt' Tuckers Affirmation

Capt' martin and I walkinge before Thomas

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(1) This instalment includes almost the last pages of transcripts sent by our most generous and greatly lamented friend, Lothrop Withington, who was lost on the Lusitania. Publication will be, of course, continued.

Dunthornes howse demanded of me wherfore  
 Edwarde Sharples lost his eares, I answered  
 he had nott, but that he had deserved to haue  
 them cut of, well said hee, it had beene  
 better they had not medled w<sup>th</sup> him, I demandinge  
 of him why he should say soe, hee answered,  
 I feere me some who were the cause of his  
 Condempinge to y<sup>t</sup> punishment, will stand in y<sup>e</sup>  
 place he did, This is the truth and nothinge  
 but the truth, accordinge to my best remembrance  
 William Tucker.

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[ink folio 135.]

A Courte held the xxx d'ye of m'ye 1625  
 beinge present Sr Francis Wyat Knight  
 Gou'nor & Sr George Yardly, Knight, M<sup>r</sup> George  
 Sandys, Threar, Capt' Roger Smith, Capt'  
 Samuell Mathews, M<sup>r</sup> W<sup>m</sup> Cleyborne

Yt is ordered y<sup>t</sup> John Carter shall enter into  
 bonde w<sup>th</sup> sufficient securitie for the payment  
 of two hundred twenty and five pownde  
 waight of *Tobacco* y<sup>e</sup> best marchantabl tobacco  
 the tenth of November next Ensuinge  
 to M<sup>r</sup> John Tuke, and to paye  
 and discharge all other Charges concerninge  
 the recovery of the saide Dixe

Yt is ordered y<sup>t</sup> M<sup>r</sup> Thomas Edwardes shall paye  
 twenty shillings in money to Capt' Peerce  
 in lew and Satisfaction of one hogshed of  
 beere, w<sup>th</sup> M<sup>r</sup> Edwards should haue  
 deliuered to Capt' Peerce in Virginia

Y<sup>t</sup> is ordered y<sup>t</sup> wheras M<sup>r</sup> Jo: Dennis was  
 to bringe over A man servant for Livt'  
 George Harysone, that Robert Denis

beinge Attorney for y<sup>e</sup> said Jo: Denis  
 shall geeve securitie to M<sup>r</sup> George  
 Humfrey for to deliver him A man  
 servant at or before the first dye  
 of January now nexte ensuinge for  
 sufficyent Satisfactn for him.

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[ink folio 136.]

Hugh Crowther gent sworne & Examd'  
 sayeth y<sup>t</sup> *the* in Aprill 1622 Capt'  
 Wm Powells man and divers others  
 did Cleere a peece of grounde w<sup>th</sup>  
*now* Capt' Samuell Mathews now vseth  
 owt of w<sup>th</sup> ground Capt' Powell had  
 shars and M<sup>r</sup> Hugh Crowther had  
 xj shares, Richard Pace had x  
 shares, W<sup>m</sup> Pery had three shares  
 Thomas Gages had two shares, And  
 Richard Richards had one share, And  
 further he sayeth That yt ground was  
 not clered for Capt' Powell or any  
 other man in p'ticular soe farr  
 as ever he did heere or knowe. And  
 further he sayeth that six of his family  
 who did help to Cleere y<sup>t</sup> grounde had  
 noe share

Edward White sworne and Exam'd sayeth y<sup>t</sup> he  
 doth not know y<sup>t</sup> that ground was cleered  
 for Capt' Powell but y<sup>t</sup> it was for y<sup>e</sup>  
 vse of the Companey y<sup>t</sup> clered the same  
 And further sayeth y<sup>t</sup> he hurd y<sup>t</sup> Capt'  
 Powell did claime that grounde as farr  
 as M<sup>r</sup> Threars swampe to be his grounde  
 And y<sup>t</sup> *about the coming in of* about Crismas  
 1620 Capt' Powell did exchange y<sup>t</sup>  
 grounde where now M<sup>r</sup> Crowthers liveth  
 w<sup>th</sup> Capt' Hurlstone for certen land w<sup>th</sup>

he was to make good to Capt' Powell  
in Hogg Ilande, And for y<sup>e</sup> Cleeringe  
of y<sup>e</sup> ground, and sharinge the affirmeth to as much  
in effect as M<sup>r</sup> Crowther hath done.

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[ink folio 137.]

Sachary Crispe for Cleeringe &  
the Shores afirmeth as much as M<sup>r</sup> Crowther  
hath done, but Concerninge y<sup>e</sup> exchange  
he knoweth nothinge.

Further M<sup>r</sup> Crowther sayeth y<sup>t</sup> he thinketh  
y<sup>t</sup> Capt' Mathews hath bestowd as much more  
paynes in cleeringe the same grounde w<sup>th</sup> bore  
corne y<sup>e</sup> same yeere, to bringe it to y<sup>e</sup> pfectione  
it is now at, besides some w<sup>t</sup> more w<sup>th</sup> he  
hath now cleered, y<sup>t</sup> quantetie wherof he doth  
not know.

Edward White and Sachary Crispe afferme  
the same

Richard Richardes sworne and Examined sayeth  
that he went over to y<sup>e</sup> grounde w<sup>th</sup> Richard  
Pace and y<sup>t</sup> Richard Pace went as over  
seer for Capt' Powell. And sayeth y<sup>t</sup>  
he never hurde but y<sup>t</sup> it was Capt' Powells  
grounde, and y<sup>t</sup> they cleered it as Capt'  
Powells ground (as he ever conceived)

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[ink folio 138.]

James Carter sworn and Examd sayeth

John Tuke sworne and Examd sayeth that  
he doth know y<sup>t</sup> Thomas Edwardes did

Deliver a *butt* pipe of Seack to M<sup>r</sup> Robert  
Benett w<sup>ch</sup> seack cam in y<sup>e</sup> Abigall and  
as this Exnat' thinketh the price was  
two hundred and sixtie pound waight  
of Tobacco

Dephebus Caue sworne and Examd' sayeth  
that the Accompt w<sup>ch</sup> he p'duced in Courte  
is A trew A'compt. And is dew  
from Mr. Robert Benett(2) deceased  
deductinge four p'cells dew to M<sup>r</sup> Benet from him  
mentyoned in M<sup>r</sup> Benett's Booke.

Yt is ordered y<sup>t</sup> M<sup>r</sup> Greene shall paye  
Addam Dixsone towards the harme y<sup>t</sup>  
M<sup>r</sup> Reynolds sow did him in his Corne  
twenty pownd waight of Tobacco.

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[139]

Henry Speede one of the Company of the good shipp  
caled the Temperance sworne and Examined sayeth  
That Henry wilkinsone who came A Free  
passenger in the said shipp and died at  
newports news abourd the shipp who laye  
sick at sea the space of three weeks, And  
This Examit' finding him to be very weake  
advised him to make his will. and to sett an  
order for his estate, To whom the saide  
Henry Wilkinson saide (that should not neede  
for yff I die I doe give all I have vnto  
william slight. (only he had six pownde  
in money in England w<sup>ch</sup> willed his Sister  
might haue if she would accept of it. After  
This (this Examit' demanded of the said Henry

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(2) Robert Bennett, stated to have been a brother of Edward Bennett, of London. In 1648 Mr. Philip Bennett, administrator of Robert Bennett, had a grant of land in Nansemond County.

Wilkinson whether he woold yett make his will (To whom he answered) To morow in the morninge I will (but that night he died but before he died he gave to this Examits wiefe twelve pounce of Tobacco, w<sup>ch</sup> is to be paid by W<sup>m</sup> Slight.

Thomas marlett gent sworne and Examd the first daye of June 1625 before the Gouvernor, *sayeth* deposeth. That M<sup>r</sup> Threer never Receaved any of the goodes and p<sup>r</sup>visiones y<sup>t</sup> were sent over for the East Indie Scoole., But that they were receaved by Livt Thomas Osbourne Accordinge to the Invoyce Imediatly taken owt of the shipp At M<sup>r</sup> Evans his Plantacone, over the water where the saide Livt Osbourne w<sup>th</sup> the Colledge men then remayned, and sayeth further y<sup>t</sup> Edworde hawsone, Richarde Skarborow, Leonard Huson his wiefe and Children and Leonard Huson him selfe died before Livt' Osbourne and y<sup>e</sup> college people removed to harry hattocks. John wilde & *Godfrey Dixsie* died aboue after Theire goinge vpp before the Ende of Awgust followinge. And william Dalby only remayneth alive, And he remembreth y<sup>t</sup> Godfrey y<sup>t</sup> Dixsie died before y<sup>e</sup> later end of maye

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[140 is blank.]

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[ink folio 141.]

A Courte held the seaventh of June 1625 beinge present Sr Francis Wyatt Knighte Gou'no<sup>r</sup> &c., Sr. George Yardley, knight, M<sup>r</sup> George Sandys, Threar, Capt Roger Smith, Capt Raphe Hamer & Mr Abraham Persye, Mr William Cleybourne.

Edward Blany marchant sworne and Examined sayeth y<sup>t</sup> in An'o 1625 he receaved of S<sup>r</sup> George Yardley one Thowsand and six hundred pound

waight of Tobacco or thereabouts in Role w<sup>ch</sup>  
 was soe wett and ill Condiconed y<sup>t</sup> he retourned  
 it vppon S<sup>r</sup> George his hande againe And  
 after by Sr George was dryed and made  
 vpp againe w<sup>ch</sup> when it caine to his Examinat'  
 his Skales to be waide it was twelve  
 hundred poundes waight or thereabouts and  
 no more And y<sup>t</sup> Sr George after did make  
 vpp the said some of one Thousand six  
 hundred waight of Tobacco to his Examinat'.

Wheras y<sup>t</sup> prooffe w<sup>ch</sup> y<sup>e</sup> Courte required by an  
 order bearinge date the 12<sup>th</sup> of Aprell 1624  
 is now arived Concerninge the Controversie  
 betwene Stephen Poore in the behalfe of Sara  
 Templeman an orphant and Symon Withe  
 and though the wrightins concerning y<sup>t</sup> bussiness  
 are soe defaced and imp'fect y<sup>t</sup> they cannot bee  
 recorded (The Court doth order y<sup>t</sup> the  
 three hundred and thurtle pound waight of Tobacco  
 remainder of Symon Withe his estate shalbe sent  
 home and Consigned to M<sup>r</sup> Nicho: Ferrar  
 Edmund Pitchard beinge gone home who was  
 appoynted to receave it.

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[142]

William Duglass sworne and Examined sayeth that  
 the shipp called y<sup>e</sup> Tiger would not woorke vppon the starr  
 boorde tack when she went quarteringe  
 but what the occasione was he knoeth nott  
 but he doth suppose she was *not well* miss  
 Trymde. And further sayeth she had  
 a leake in her bowe, but it was not  
 any cause of the damnifinge of the goodes  
 And that when the storme came shee wold  
 not woorke but laye vnder the sea: in



w<sup>ch</sup> storme the goodes were dampnified, and  
 fourthe sayeth that he had certen Tobacco  
 laden aboorde the shipp w<sup>ch</sup> was spoyle  
 And if he had nott thought it had beene  
 spoyle by the Casualtie of the sea he  
 would have sought for Satisfactione  
 at the Courte in Kingsale in Irelande wher  
 other of the Passengers did sue for Sa  
 tisfactione for their losses, But they  
 had no Satisfactione allowed them in y<sup>t</sup>  
 Courte of Kingsale in Irelande

wheras *Yt is ordered that* M<sup>r</sup> William Cleyborne was  
 to have by agreement w<sup>th</sup> the Company Thirtin pound  
 sterlinge p Ann' or so much valuable Comodities as  
 they were woorth in England for w<sup>ch</sup> he was  
 Contented to accept of two hundred waighte  
 of Tobacco for the first yeere in An'o 1622 in  
 w<sup>ch</sup> the Massacre hapned, But for these  
 two last yeers (vidlt) 1623 et 1624  
 he desireth of this Courte y<sup>t</sup> he may receive  
 fower hundred waight of Tobacco for each  
 of these two last yeers The Courte  
 Conceavinge his demand to be reasonable have  
 ordered y<sup>t</sup> eight hundred waight of Tobacco  
 be paide vnto him out of the Companys rents

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[ink folio 143.]

A Courte held the xiii<sup>th</sup> of June 1625  
 beinge present Sr Fra' Wyatt knight Gouverno<sup>r</sup>  
 S<sup>r</sup> George Yardley Knight M<sup>r</sup> George Sandys  
 Threare Capt Smith Capt' Hamer Capt'  
 Samell Mathews M<sup>r</sup> Abraham Persie  
 M<sup>r</sup> W<sup>m</sup> Cleybourne.

William Pery sworn and Examied sayeth that about Christmas 1622 Capt W'm Powell willed this deponent to shew Capt Mathews y<sup>t</sup> ground w<sup>ch</sup> now Capt Mathews vseth of w<sup>ch</sup> ground Capt' Powell had Cleered some 8 or 9 acres before Capt Mathews seated thereone, and y<sup>t</sup> Capt' Powell did lend Capt Mathews the houses of the vpper fort for the vse of his servants but of vppon w<sup>t</sup> Condicons Capt Mathews did hold the grounde from Capt Powell this depot knoweth nott.

And further sayeth y<sup>t</sup> a little befor Capt Powell dyed Capt Mathews washad had shipped his goods and most of his Servants to goe vpp to Pilbrook but Capt Mathews saide, as he told this depon't at the request of M<sup>rs</sup> Blayny) w<sup>ch</sup> M<sup>rs</sup> Blany after denied to this deponent.

And further sayeth y<sup>t</sup> after Capt Mathews was resolve to staye he willed this deponent to goe to M<sup>r</sup> Crowther. And to p'suade him to lett Capt Mathews have his grounde And that he y<sup>e</sup> said Capt Mathews would p'cure y<sup>e</sup> saide M<sup>r</sup> Crowther other grounde either at martins hundred or at the Colledg in lewe therof To w<sup>ch</sup> M<sup>r</sup> Crowther replied he would not vnles he were forced thereto.

And further sayeth y<sup>t</sup> Capt' Powell offered m<sup>r</sup> Pace he should have the ground yf he would continue there and builde vppon, yf he did not *intend* goe to goe to his owne Plantacon but Rich' Pace goinge to his owne Plantacone did leave it vpp to Capt' Powell

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[ink folio 144.]

We see noe such right invested in Capt' Powell and his Children in the land now

in Controversie wherby wee can by  
 A legall order put Capt Samuell Mathews  
 who is presently seated thereone (out of  
 Possessione)

The Courte conceive noe sufficyent grounde  
 for us to grant A warrant to Mr Woolridg  
 for recovery of the twenty six pounds, of  
 Capt W'm Peerce and M<sup>r</sup> Blayny  
 given M<sup>r</sup> Woolridg by an Awarde out of  
 Englande.

W<sup>m</sup> Greene Churgione sworne & examd  
 sayeth y<sup>t</sup> the bill of Phisick & surgery  
 p duced  
 in Courte, w<sup>ch</sup> was minstered vnto  
 John Stephens him self and his servants  
 at sea is A trew bill, And that  
 John Southerne shall satisfie the  
 same before M<sup>r</sup> Greene departe

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[145]

June the 17<sup>th</sup> 1625 before Sr  
 Francis Wyatt Knight Gouvernor &c.

Roger Williams aged xxiii yeers or therabouts sworne  
 and eximed sayeth y<sup>t</sup> before Capt Samuell Mathewes  
 has shipped his goodes to goe vpp to Polebrooke(3)  
 his servants had cleered some grounde one the  
 same side of the shwampe where Capt Mathews  
 howse doth stande neere vnto the swampe w<sup>ch</sup>  
 parteth the landes of *between* Capt Mathewes &  
 Capt Powells, And y<sup>t</sup> after Capt Mathews  
 had landed his goods at Capt Powells houses  
 w<sup>ch</sup> he first intended to have caried vp to Polebrooke  
 then Capt Mathews servants did Cleere some grounde  
 in or neere the place where the houses of Capt

---

(3) Powell Brooke, in what is now Prince George Co.

Mathews now stande, beinge the land w<sup>th</sup> Edwarde Blayney claymeth in the right of Capt Powells Children, And that this Cleeringe of the grounde in questione, was in the liefie tyme of Capt Powell since deceased.

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[ink folio 146.]

Aron Conway aged xxii yeers or therabouts sworne and Examed, sayeth y<sup>t</sup> before Capt Mathews had shipped his goodes to goe vpp to Polebrooke, hee this deponent w<sup>th</sup> other of Capt Mathews servants did begin to cleere a peece of grounde neere to the swampe w<sup>th</sup> parteth the lande of Captain Mathews and the Children of Capt' Powell deceased, And that after Capt Mathews had changed his recolation for goinge to Poolebrooke and had landed his goodes at the houses of Capt' W'm Powell deceased he this deponent w<sup>th</sup> other of Capt Mathews servants did cleere some p'te of the grounde where now the houses of Capt' Mathews stande, or neere vnto them, beinge the land w<sup>th</sup> Edward Blayny Claymeth in the right of the children of Capt' Powell deceased, And that the Cleeringe of the ground in question, was in the liefie tyme of Capt' Powell

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[ink folio 147..]

A Courte held the xi of July 1625 beinge present Sr: Franc's Wyatt Knight Gouverno<sup>r</sup> &c., Capt' Roger Smith. Capt Raphe Hamer, M<sup>r</sup> William Cleyburne.

It is ordered in Courte y<sup>t</sup> M<sup>r</sup> John Chew shall contynew Prisiner vntill he hath given Doctor Pott Satisfactione for five barrells of Corne.

(To be Continued.)